

### **Remarks**

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, although the Office Action Summary page indicates that claims 1-3 and 12-14 are pending in the application, please note that claims 2 and 3 were cancelled by the Amendment filed October 31, 2005. Furthermore, although withdrawn from further consideration, non-elected claims 4-11 remain in the application. Therefore, at the time of issuance of the Office Action, claims 1 and 4-14 were pending in the application.

Claim 1 has been amended to incorporate the subject matter of claim 14, while taking into account the Examiner's rejection of claim 14 under the first paragraph of 35 U.S.C. §112 on page 4 of the Office Action, as well as the rejection of claim 14 under the second paragraph of 35 U.S.C. §112 on page 5 of the Office Action.

As a result of these amendments to claim 1, claims 12 and 14 have been cancelled.

Upon entry of the foregoing amendments, the claims pending in the application will be claims 1, 4-11 and 13, of which claims 4-11 are withdrawn.

The rejection of claims 1 and 12-14 under 35 U.S.C. §101, as well as the rejection of these claims under the first paragraph of 35 U.S.C. §112, on page 3 of the Office Action, are respectfully traversed.

In connection with both of these rejections, the Examiner refers to page 6 of the response filed October 31, 2005, which as characterized by the Examiner, includes a statement that "... orientation of the ceramic particles ... is only possible" with Topchiashvili's ceramics. This language is taken from a sentence on page 6 of the response concerning the lack of motivation for the art-skilled to do as the Examiner suggested, which was to replace the ceramics of claim 3 of the present application (previously incorporated into claim 1) for the Topchiashvili et al. ceramics. Applicants' arguments against the previous rejection of claim 3 were based on a lack of motivation to make the substitution suggested by the Examiner, considering the fact that the art-skilled would not expect that the ceramics of claim 3 (for which the Examiner relied on the Wei et al. and Takagi et al. references) would have magnetic susceptibilities which render

them susceptible to magnetic orientation. This argument was supported by the Table of magnetic susceptibilities attached to the response filed October 31, 2005, showing that the magnetic susceptibility of the Topchiashvili et al. ceramics is about 100 times greater than the magnetic susceptibility of the ceramics used in the presently claimed invention. As Applicants previously noted, in the last full paragraph on page 2 of the response filed April 20, 2005, the art-skilled have conventionally neglected the magnetic anisotropy of non-ferromagnetic materials, such as those employed in the present invention; but Applicants have discovered that if a non-ferromagnetic powder having a not-cubic crystal structure (as recited in original claim 1 and now inherently required by claim 1 as a result of incorporating claim 3 therein) is dispersed into a solvent to prepare a slurry, and the slurry is molded in a magnetic field, an oriented sintered ceramic product of a new structure can be manufactured. Thus, **taken in the context** of the arguments made in responding to the Examiner's rejection, it is apparent that Applicants certainly do not "admit the invention won't work" as suggested by the Examiner. Quite to the contrary, as shown in the present application, and more specifically in the working Examples, the invention does work. This is further supported by the Figures filed with the application. For instance, as indicated on page 14 of the specification, in the description of Example 1, Fig. 3 confirmed that "... the oriented sintered product was obtained ..."

For these reasons, Applicants respectfully submit that the rejection of the claims under 35 U.S.C. §101, as well as the rejection of the claims under the first paragraph of 35 U.S.C. §112 on page 3 of the Office Action, should be withdrawn.

The rejection of claim 14 under the first paragraph of 35 U.S.C. §112 on page 4 of the Office Action, as applied to amended claim 1 (incorporating claim 14) is respectfully traversed.

Applicants submit that this rejection has been rendered moot except for the Examiner's statement that there is no support for the claimed numerical values/ranges, for example, the 20% boundary condition of (B) in claim 14. However, contrary to the position taken by the Examiner, the Table that was submitted with Applicants' last response shows 20% solid content for Examples 6, 7 and 12, which is confirmed by these examples themselves.

Accordingly, Applicants take the position that the rejection of claim 14 under the first paragraph of 35 U.S.C. §112 on page 4 of the Office Action should be withdrawn.

The rejection of claim 14 under the second paragraph of 35 U.S.C. §112 has been rendered moot in view of the claim amendments.

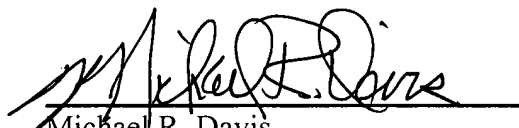
The rejection of claims 1, 12 and 13 under the second paragraph of 35 U.S.C. §103(a) as being unpatentable over Topchiashvili et al. in view of Wei et al., as well as the rejection of these claims under 35 U.S.C. §103(a) as being unpatentable over Topchiashvili et al. in view Takagi et al. and the rejection of these claims under 35 U.S.C. §103(a) as being unpatentable over Morita et al., have all been rendered moot in view of the claim amendments. This is because claim 14, which is not subject to any of these rejections, have now been incorporated into claim 1.

In the last paragraph on page 10 of the Office Action, the Examiner suggests that one of the graphs previously submitted by Applicants "has been doctored." The Examiner further indicates that the "attached sheet" is not evidence since it was not supplied in an affidavit. In response to this, Applicants are attaching a Rule 132 Declaration.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Toru SUZUKI et al.

By:   
Michael R. Davis  
Registration No. 25,134  
Attorney for Applicants

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MRD/pth  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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